

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
SPECIAL MEETING NOVEMBER 9, 2009**

CALL TO ORDER:

President Bernadine Butkowski: I call to order the North Ridgeville City Council Special Meeting of Monday, November 9, 2009 at 7:30 P.M. Clerk, please call the roll.

ROLL CALL:

Present were Council Members Dennis Boose, Richard Jaenke, Bob Olesen, Kevin Corcoran, Ray McLaughlin and President Bernadine Butkowski.

Absent was Council Member Nancy Buescher.

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites and Clerk of Council Warren Blakely.

Absent were Engineer Larry Griffith and Auditor Chris Costin.

READING OF NOTICE:

Clerk of Council Blakely:

November 3, 2009

North Ridgeville Council Members

City of North Ridgeville

7307 Avon Belden Road

North Ridgeville, Ohio 44039

RE: Special Council Meeting

Dear Members of Council:

Notice is hereby given, in accordance with Section 3.9 (c) of the Charter of the City of North Ridgeville, that a Special Council meeting will be held on Monday, November 9, 2009 at 7:30 P.M. This meeting will be held in Council Chambers, North Ridgeville City Hall, 7307 Avon Belden Road, North Ridgeville, Ohio 44039.

The purpose of this meeting is to adjourn into an informal Committee of the Whole to discuss the proposed Master Plan and to make recommendations to Council.

Sincerely Yours, Bernadine Butkowski, President of Council, Council Members Richard W. Jaenke and Dennis J. Boose.

Council Member Boose: Madam President, before we go any further and I don't have a copy of the agenda; but, I'm sure it was an oversight, that we didn't say the Pledge of Allegiance and since Veteran's Day is just two days from now, I certainly believe that it would be appropriate that we open our meeting with the Pledge of Allegiance.

President Butkowski: That would be fine, we usually don't for committee meetings, but yes, you are right, Veteran's Day is forthcoming and it would be right. Let's all stand and pledge in honor of our Veterans.

PLEDGE OF ALLEGIANCE: by all

Council Member Boose: Thank you.

SPECIAL COUNCIL:

President Butkowski: Thank you. I need a motion now to adjourn to a Committee Meeting of the Whole. Can someone make that motion please?

 moved by Corcoran, seconded by Jaenke to adjourn the Special Meeting to move into a Committee Meeting of the Whole

President Butkowski: Do we have any discussion?

Council Member Jaenke: Madam President, I would like to make a couple of comments. I think that the present Council, certainly, should take action on the fine work that the Committee did and compliment them in terms of the countless hours that they spent putting together the new Master Plan. So, I am in favor of Council taking action on the Master Plan this evening. I also feel, in terms of any Committee assignments or any discussion regarding the various sections, that it is not appropriate, at this point, that we have any discussion about that this evening since we are going to have a new Council as of January 1.

President Butkowski: Thank you. Is there any other discussion?

Council Member Olesen: Yes, Madam Chairman. I think I agree with Mr. Jaenke. I think that this Committee has done a very good job and I believe that the way this will work, even if we approve a report tonight, that we will still have the option that when it comes to changing legislation for that report to express our yes or no on the legislation itself. With that option; as we go down the road, any points that might be airy or we just don't agree with, we can discuss it and make a vote on it. I think that is what we should do.

President Butkowski: Thank you. Is there any other discussion? Clerk, please call the roll on going into a Committee Meeting of the Whole.

 Yes, 6 No, 0

Clerk of Council Blakely: The vote is six to zero and the Committee of the Whole starts at 7:36 P.M.

Council recessed into a Committee of the Whole meeting at 7:36 P.M.

COMMITTEE OF THE WHOLE:

President Butkowski: The only part of the Master Plan that we did not discuss was the Utilities Committee. Is it a consensus of everyone that they do not want to discuss the utilities area in the Master Plan at this time?

Council Member Boose: Madam President, no. I don't have any specific issues with the utilities area, but I do have some comments on the other areas and if not now to discuss it, then when? It doesn't seem right that Council would take action or make a recommendation on a piece of legislation without discussing it. I certainly think that we should do that.

Council Member McLaughlin: Madam President, correct me if I'm wrong, but we are dealing with a resolution. The way that this is set up is that it is suppose to be broke down and used as a guideline for each Committee as certain things arise, or if need be, if new Committee Chairmans or present ones decide to take action and start putting some of these thoughts that they had in ordinance form, then it would come and be discussed through Council and sent back to Committee and so on and so forth. Right now, we are just looking to approve or disapprove the resolution.

President Butkowski: That is correct. You are correct in your statement. At the last Council Meeting of the Whole, we went through it. We went through each one of the sections and I was just wondering if you wanted to go through the only section we didn't go through and that was utilities. I don't want to leave them out. If you want to discuss it, that is fine. If you don't, we will need a Committee Report to get it back on to the agenda. Is there anyone that wants to discuss the utilities? Is there anyone that wants to discuss anything else before a motion is made?

Council Member Boose: Madam President, again, as I stated at our last Committee of the Whole meeting, I, again, wanted to thank the Master Plan Committee and its members. They put in countless hours and a lot of time and effort in not only discussing all of the aspects of the Master Plan, but also, having to plan for meetings and bring in guest speakers, do the minutes, do everything so that we have a finished product that we see this evening. Again, I want to congratulate and thank all the members of the Committee. I just wanted to make a comment in that we need to understand and remember; as it references on page six, that this Master Plan is a guide to evaluate the development proposals and implement new policies that impact our City. It is a guide. The plans are preliminary as further stated in the plan and will require further analysis. I think that is good. It is a goal setting phase of a proactive City building process and it should be followed by an action plan per the recommendation of the Master Plan Committee. To that point, on page seven, it talks about it being followed by an action plan and who will monitor and benchmark our proceedings and our progress. My comment first, is that one of the duties of a Committee or an organization is not only to plan, but as many have said, to make sure that the plan is followed and that we have regular progress. We update it and we make sure that we are doing things within the plan. My first question is that; I think we need to come to an understanding, as to who will monitor the plan and who will monitor our benchmarks for our progress? Is that Council? Is that the Mayor or Administration? Is that another Committee? I

think we need to understand that going forward. Who is going to make sure that this is being monitored and followed up? I pose that question to Council.

Council Member Olesen: Since this is broken down by Committee, wouldn't each Committee Chairman take some responsibility in bringing those matters to his or her Committee for discussion as presented in the Master Plan. I think that is where we would have our discussion and our decision making.

Council Member Boose: I agree. Are we going to leave it up to Council that Council will be the monitoring entity or would that be the Administration? To leave it in the hands of each individual Council member or for whatever Committee that they are on, I agree, that would be their responsibility. I also think that someone overseeing it to make sure that things progress and if not, to move it along, I think that is prudent as well.

President Butkowski: There has never been anyone here in North Ridgeville that has done that. I just wonder if anyone knows what is done in other Cities with their Master Plan.

Council Member McLaughlin: Madam President, if you don't mind me asking, we have someone here that worked on it, as to what their thought process was.

Mayor Gillock: Madam President, I have some opinions about it. I think that it is really up to the voters that are going to judge the actions of Council. I think Council's obligation here is to look at the hard work and effort that has gone in by those seven members and the plan that those seven people, just regular citizens, brought forth and look at that. I think you have three choices. You can adopt it as it is, not adopt it or you can come up with your own. I think that you can only amend this Master Plan as presented. I do think that, once this is adopted, it is a ready made document for Council Committees to take their sections and then address the individual parts of it. Like any good plan, it is not necessarily perfect and there may be parts, as we discussed, where there were things that we all didn't agree upon and there may be things that Council doesn't want to adopt, but they should be considering all the items that have been brought forth and taking a look at them. It is ready made and it is divided into sections that match Council Committees. My recommendation is that it ought to be adopted because we need a plan. We need something to work with. As we said, it is a living document and it is subject to change. We also need a current document that when the Administration is working on grants and other things with the State and Federal Officials, they ask if we have a Master Plan and how does that fit in. We just received a 60,000 dollar grant last week for a livable community planning study for the Town Center based upon what is in this Master Plan. Even though we haven't adopted it yet, we included this Master Plan in that section of our application. It helped us get a 60,000 dollar grant that we can use and study what is in this plan. This document is important. It is not an ordinance. It doesn't set the law. I've always said it is the best idea and guideline until a better idea comes along. It gives us a basis to work from and if there is a better idea, then we should adopt it or if there is something in here that we don't like, we don't have to adopt it, but this gives a guide and baseline as something to work with. It is really the voters that are going to be watching and I think that if you take a piece of this and you discuss this in an open Committee meeting and say that we don't, as a Council, agree with this point and we don't want to adopt it, I

think that the voters would understand that. You've looked at it and discussed it and considered it.

President Butkowski: Thank you.

Council Member Corcoran: I think, Dennis, that is coming back to your question as to who is suppose to be watching over things. Unfortunately, we don't have one person to sit and watch. It is sort of a joint effort between the Administration and Council to at least review the plan and see if it makes sense. As far as meeting guidelines or achievable statistics of whether we are meeting the Master Plan, it might not work in some instances and so I don't know if we can sit here and say these are the benchmarks that we are trying to achieve and if we don't achieve these, then we have failed in some manner. I don't think that, that is fair because there are some things that when they went through this, it was a wish list and so economics dictate that some of these things just aren't feasible. I don't know if that is considered a failure, if we can't provide the money to pull something off. It is great as a plan, like the Mayor said. It might only work well until something better comes along.

Council Member Boose: I agree with you and that is why I want this to be brought out because it is in the Master Plan's own words. I didn't say let's have this, it is in the plan. Again, understanding that everything in the plan will not be approved and/or acted upon, that was my point exactly. I think that it is a joint effort between Council and the Administration and the citizens to make sure that we move forward and act on it. It is not just one person, one Committee member, one Committee's responsibility to get this done. Thank you, I agree with you wholeheartedly, but that is the reason I wanted to bring that point out. If you don't have that understood at the beginning, I think sometimes we lose sight of it. I wanted to make sure that was brought out.

Council Member Olesen: Madam President, one other thought on this. If Council can recall, that the first draft of the plan that we received was not the final draft. We didn't find that out until after we looked at that draft and someone said that wasn't the final. So, I think that is another important reason for this go to the Council Committees so that we can look at the final document to make these decisions.

Council Member Boose: Madam President, the remaining questions I have are just for clarification because I want them for the record. Again, understanding that there will be full discussions in Committees, but I think we have a couple members of the Master Plan Committee here and again, it is good, at least for my mind to have sort of sense of where they were coming from. Most of the questions that I had on the plan were answered in our first Committee of the Whole meeting back in June. I just have a couple more. Under the Administration section on pages 23 and 24, it says that the City must identify privately controlled areas within the Town Center District and set design standards and planned land use. We are talking about the Town Center of privately owned homes or privately owned property within that. So, just to get an idea of where you are coming from; if we are going to set standards for these when they come up, are you talking about potential recreation use, potential government use, potential commercial use or all of the above?

Russ Friedrich of 5719 Firecrest Circle: We are talking all the above. We are talking all the above because it is a comprehensive Town Center. It is going to be mixed with everything. It will be a mixture of City, recreation, retail, so the whole thing will be a mix and that was the idea. One quick comment to the question as to who was going to review this. Our intentions were that you and the Administration would do it. Probably an appropriate time would be when the new Council comes in. That would be the time to set some sort of time table. We don't mean a time table to complete the Master Plan, because that will probably be 10 to 20 years down the road and there will be different Council members between here and there. The time table would be to make sure that the Committees are staying on some sort of track on working on the Master Plan. Just assigning it to Committee, is no good if you don't have something set up. That is something you people will have to choose, whether that be every three months, every four months or every six months where the Committees would report back to Council or, even add it to the Agenda where a report will need to be made in reference to the Master Plan. With that in mind; if Council Committees decide to sit on their sections and do nothing, other Council members may say, listen, in your Committee you have this important stuff, how come none of it has come up. It is for you people to set up your own review process. We don't want to see it just be adopted and sit there in limbo until some major project comes up that the Administration or somebody needs and then all of a sudden that important part becomes a rush to have a meeting on it.

Council Member Boose: Thank you and I agree with you and that is why I wanted to make sure that we had some sort of monitor in place, whether it be self or joint or what have you. It was mentioned in the previous meeting, that on page 25, I prefer to have the Bagley Road from Olmsted Township corridor placed in the primary gateways versus the secondary. So, when it does go to that Committee, I hope that, that is considered with primary gateways versus secondary. In the Building and Lands section on page 35 and on page 37, there are two references to having a ballot initiative for rezoning. On 35 it says a ballot initiative for a rezoning proposal that would allow for latitude to creative modifications for land zoning, and then on 37 it says, include a ballot initiative for site specific and high density. I'm not quite sure what your meaning is with that ballot initiative.

Russ Friedrich: You have zoning maps that are from 1966. Some of these area that you are going to change, you are not going to be able change. They are going to have to go to the vote of the people. You are not going to be able to change it. That is the way that is being directed. You need to be aware of that. Those Committees are going to need to do a lot of work when they put that together. Some of those areas aren't going to be things you can change because you want to. They are going to be things that are going to have to be changed by the vote of the people.

Council Member Boose: My question then, Madam President, would be to the Law Director. I was under the understanding that zoning could change without the vote of the people. I didn't know that we have laws on our books that, that is required.

Law Director Crites: That is the general rule unless the people have voted otherwise, which they have in only specific circumstances and that shows up as sections of our Charter. Specifically, I

think it is only the rezoning to Multifamily and Senior Housing.

Mayor Gillock: Anytime you rezone to multifamily, it is a ballot issue for the City and the Ward.

Council Member Corcoran: Such as Town Center. If you are talking about mixed use in residential, the high density would occur there.

Council Member Boose: Right, but we change from B-3 to B-2 and residential to B-3 all day long without the vote of the people.

President Butkowski: Correct. We just have that one section.

Council Member Boose: Safety, on page 45; again, we are not all going to agree on everything that is in here. I just question the recommendation to have the Fire Department headquartered at the corner of Lear Nagle and Center Ridge, because I thought we are more centrally located here where they are at or at least closer to 83 and Center Ridge. Again, on page 46 it talks about a potential for combining the Police Station at the same location as well as one other alternative. Again, we can talk about that in Committee. I just wanted to make that note public.

Council Member Corcoran: I think that was the Fire Department's wish that they be in that location.

Council Member Boose: Again, it doesn't seem centrally located to me. Especially, when we have coverage on all sides.

Mayor Gillock: Madam President, it is like Kevin said. What you actually got there is a wish list of both the Police and the Fire Chiefs. The Fire Department plan really calls for a fire station in each of the four wards ultimately and you won't need a centrally located one. By their demographic requirements; behind Tops along Lear Nagle is a perfect place for that dense part of City and then one station will cover that area and going west and another station up by Barres and ultimately a fourth one in the southwest corner. The Police Chief is looking at a combined safety forces building. He needs to be centrally located because he only has one station. Those are kind of contradictory there, but that information is coming from both Chiefs, just explaining what they would like to see in their Master Plan in planning down the road.

Council Member Boose: Thank you. And finally, in Streets, Sidewalks and Bridges on pages 49 to 50, I just want to reiterate what we heard at the first meeting was that the list that is provided is not in any priority order. Second, I would add a west bound turn lane extension on Jaycox Road and Center Ridge Road. We've talked about that and hopefully that will happen as soon as next year. Finally, I would add the need for a traffic light at the Jaycox and Mills intersection with the assistance of the City of Avon. With that, those are my comments.

President Butkowski: Thank you, Mr. Boose. Are there any other comments?

Council Member Olesen: I have one comment. I think that if each Committee Chairman takes it upon himself or herself to call a meeting in regard to discussing the elements of the Master Plan. How do we get the Master Plan people informed of this? We should do that so that they are there, just like they are tonight.

President Butkowski: I will have a list of all the people that were on that Committee and see if they are still interested in staying active. We'll just contact them when we contact all the other people when we have a Committee meeting. That is easy enough to do.

Council Member Olesen: As long as we do that, because in fairness, they should be there when we are discussing it.

Council Member Boose: I agree. In fact it would be nice to add them to the distribution list of the meeting announcements.

President Butkowski: That wouldn't be a problem at all. Just add them to your list.

Mayor Gillock: Madam President, just for my clarification and understanding, I hope what I am hearing Council say is that after they adopt the Master Plan Resolution that it be divided up to the Council Committees for discussion and review and adopting the various portions. I don't think I'm hearing that you are talking about doing that before it is voted on.

President Butkowski: It would be after. We are not going to do that until we approve it. Hopefully, we will approve that yet this year.

 moved by Olesen, seconded by Jaenke to recommend the adoption of the Master Plan Resolution

President Butkowski: Is there any discussion? Clerk, please call the roll.

 Yes, 6, No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero to write a Committee Report.

President Butkowski: Just give me a couple of minutes for me to write the report and then everyone will have to sign it. I have written up the Committee Report that states that we have considered the matter of the Master Plan and recommend adoption of resolution T 53 and recommend that this request be approved.

Council Member Boose: Pardon, point of order, I show it as T 56.

President Butkowski: I'm sorry, I have T 56 written right here. Is there anything that should be changed on that? Don't leave here before you sign this. At this time, is there a motion to adjourn our Special Meeting of the Whole?

 moved by McLaughlin, seconded by Boose to adjourn the Committee of the Whole meeting

President Butkowski: Do we have any discussion? This is to close the Committee of the Whole meeting. Clerk, please call the roll on the adjournment of the Committee Meeting of the Whole.

 Yes, 6 No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero.

SPECIAL COUNCIL:

Council reconvened the Special Council meeting at 8:01 P.M.

ADJOURNMENT:

President Butkowski: Okay, now I need a motion to close the Special Meeting.

 moved by McLaughlin seconded by Boose to adjourn the Special Meeting

President Butkowski: Do we have any discussion? Clerk, please call the roll.

 Yes, 6 No, 0

Clerk of Council Blakely: Motion passes by a vote of six to zero and the meeting is adjourned at 8:02 P.M.

Approval of Minutes:

MOTION McLaughlin 2ND Corcoran DATE November 16, 2009

YES 6 NO 0 ABSTAIN 0